

ATTORNEY'S DOCKET NO: 27415U

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE <u>16</u> May 2006 (16.05.2006)
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLN. NO. (if known) Not Yet Assigned 161509546
INTERNATIONAL APPLICATION NO.: PCT/IL2004/001057	INTERNATIONAL FILING DATE: 17 November 2004 (17.11.2004)	PRIORITY DATE CLAIMED: 17 November 2003 (17.11.2003) US
TITLE OF INVENTION: SPIROMETER		
APPLICANT(S) FOR DO/EO/US: KRASILCHIKOV, Yehezkel; LITVAK, Anna; SHESTATSKI, Felix		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items(5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):</p> <p>a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A FIRST preliminary amendment.</p> <p>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</p> <p>20. <input checked="" type="checkbox"/> Other items or information: TRANSMITTAL FORM WITH FEE CALCULATION; INTERNATIONAL PUBLICATION WO 2005/046426 A2 WITH INTERNATIONAL PUBLICATION DATE 26 MAY 2005 (26.05.2005) WHICH CONSISTS OF 28 PAGES INCLUDING 2 COVER SHEETS CONTAINING THE ABSTRACT, 13 PAGES TEXTUAL SPECIFICATION, 7 PAGES OF 47 CLAIMS, 6 SHEETS DRAWINGS; UNEXECUTED INVENTOR'S DECLARATION; PCT/ISA/220 NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION; PCT/ISA/210 INTERNATIONAL SEARCH REPORT; PCT/ISA/237 WRITTEN OPINION.</p>		

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U.S. APPLICATION NO. (or known noveltyasser)	INTERNATIONAL APPLICATION NO. PCT/IL2004/001057	DATE: May 2006 (.05.2006)																																																												
<p>21. Basic national fee \$ 300</p> <p>22. Examination fee If the written opinion prepared by the ISA/US or the international preliminary examination report prepared by IPEA/US and all claims satisfy Provisions of PCT Article 33(1)-(4) \$ 0</p> <p>All other situations..... \$200</p> <p>23. Search fee (37 CFR 1.492(b) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0</p> <p>Search fee (37 CFR 1.445(a)(2) has been paid on the international application to the USPTO as an International Searching Authority..... \$100</p> <p>International Search Report prepared and provided to the Office..... \$400</p> <p>All other situations..... \$500</p> <p>Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</p> <p style="text-align: right;">TOTAL OF 21, 22 & 23=</p>		<u>CALCULATIONS</u>	<u>PTO USE ONLY</u>																																																											
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<p>Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(e)).</p>		\$																																																												
<table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NO. FILED</th> <th>NO. EXTRA</th> <th>RATE</th> <th></th> </tr> </thead> <tbody> <tr> <td>TOTAL</td> <td>47 -20=</td> <td>27</td> <td>X \$ 50.00</td> <td>\$ 1,350.00</td> </tr> <tr> <td>INDEPENDENT</td> <td>5 - 3=</td> <td>2</td> <td>X \$ 200.00</td> <td>\$ 400.00</td> </tr> <tr> <td colspan="3">Multiple dependent claims(s) (if applicable)</td> <td>+ \$360.00</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$ 2,650.00</td> </tr> <tr> <td colspan="4">Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).</td> <td>\$ -1,325.00</td> </tr> <tr> <td colspan="4">SUBTOTAL =</td> <td>\$ 1,325.00</td> </tr> <tr> <td colspan="4">Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)). +</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="4">TOTAL NATIONAL FEE =</td> <td>\$ 1,325.00</td> </tr> <tr> <td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="4">TOTAL FEES ENCLOSED =</td> <td>\$ 1,325.00</td> </tr> <tr> <td colspan="4"></td> <td>Amount to be: refunded \$ charged \$</td> </tr> </tbody> </table>		CLAIMS	NO. FILED	NO. EXTRA	RATE		TOTAL	47 -20=	27	X \$ 50.00	\$ 1,350.00	INDEPENDENT	5 - 3=	2	X \$ 200.00	\$ 400.00	Multiple dependent claims(s) (if applicable)			+ \$360.00	\$ 0.00	TOTAL OF ABOVE CALCULATIONS =				\$ 2,650.00	Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				\$ -1,325.00	SUBTOTAL =				\$ 1,325.00	Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)). +				\$ 0.00	TOTAL NATIONAL FEE =				\$ 1,325.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 0.00	TOTAL FEES ENCLOSED =				\$ 1,325.00					Amount to be: refunded \$ charged \$	
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U.S. APPLICATION NO. (if known) not yet assigned 11519546	INTERNATIONAL APPLICATION NO. PCT/ IL2004/001057	DATE: 16 May 2006 (16.05.2006)
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- a. One check in the aggregate amount of \$1,325.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. 14-0112 in the amount of \$_____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0112.
- d. Fees are to be charged to a credit card WARNING: Information on this form may become public Credit Card Information should not be included on this form. Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

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Rev. 02/98

10/579546

MAIL STOP PCT

Attorney Docket No. 27415U

1A P20 REC'D IN PTO 16 MAY 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KRASILCHIKOV et al.

International Application No. PCT/IL2004/001057

Serial No. NOT YET ASSIGNED

International Filing Date: 17 November 2004 (17.11.2004)

Filed: May 16, 2006

For: SPIROMETER

TRANSMITTAL LETTER

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

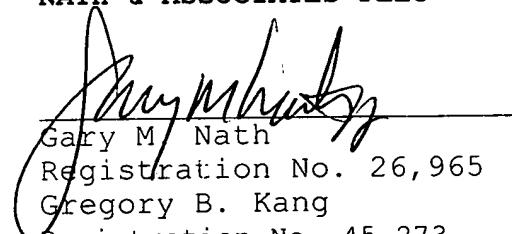
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter
- (2) Transmittal Letter To U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371
- (3) International Publication No: WO 2005/046426 A2
International Publication Date: 26 May 2005 (26.05.2005)
which consists of 28 pages including:
 - 2 cover sheets containing the Abstract,
 - 13 pages Textual Specification,
 - 7 pages of 47 claims,
 - 6 sheets of Drawings;
- (5) Unexecuted Inventor's Declaration;
- (6) PCT/ISA/220 Notification of Transmittal of the International Search Report and the Written Opinion;
- (7) PCT/ISA/210 International Search Report;
- (8) PCT/ISA/237 Written Opinion;
- (9) Check No. 2141 \$1,325.00 for Government Filing Fee, Search Fee, Examination Fee, 27 additional claim over 20 and 2 additional claims over 3 as a small entity;
- (10) Postcard for early notification of serial number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:



Gary M. Nath
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Gregory B. Kang
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Date: May 16, 2006

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